

### REMARKS

In the Restriction Requirement mailed November 22, 2005, the Examiner has restricted the claims to one of the following groups under 35 U.S.C. 121:

- I. Claims 1-10 and 16-20, drawn to processing an input signal of a hearing aid, classified in class 381, subclass 312, 316.
- II. Claims 21-27, 28-43 and 45-49, drawn to gain control specifically, classified in class 381, subclasses 104-109, 56 and 58.
- III. Claims 50-59, drawn to gain control within an amplifier, classified in class 381, subclasses 120, 104-109 and class 330.
- IV. Claims 11-15, drawn to an apparatus for processing a digital audio signal, classified in class 381, subclasses 120 and 56-58.

Applicant elects, with traverse, Group I, claims 1-10 and 16-20. Applicant respectfully submits that the subject matter of Group I and Group IV should be combined for examination as it is believed that the search and examination of these two groups would not require additional effort by the Office. Applicant respectfully requests reconsideration and prosecution of Groups I and IV and restatement of the Restriction Requirement accordingly in the next official communication.

Applicant cancels without prejudice or disclaimer, the claims in Groups II and III, which are claims 21-27, 28-43, 45-49, and 50-59. Applicant reserves the right to reintroduce them in one or more Divisional applications at a later date.

**CONCLUSION**

Applicant respectfully submits that the pending claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6912 to facilitate prosecution of this application.

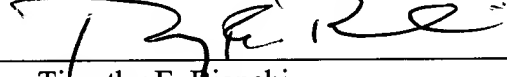
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,


JON S. KINDRED ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6912

Date Jan. 23, 2006 By   
Timothy E. Bianchi  
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23 day of January, 2006.

  
Name

  
Signature